Remarks

A. Period For Reply

A shortened statutory period was set to expire three months from the Office Action of June 29, 2005. June 29, 2005 plus three months was September 29, 2005. September 29, 2005 plus two months is Tuesday, November 29, 2005. This paper is being filed on or before Tuesday, November 29, 2005 with a petition for an extension of time for two months to ensure consideration of this Supplemental Amendment and Remarks.

B. Status

The Office Action of June 29, 2005 was nonfinal.

C. Disposition Of Claims

Claims 8, 32, 55 and 56 are pending.

D. Application Papers

The drawings were objected to in the Office Action, and this objection was discussed in the Amendment and Remarks of October 31, 2005.

E. Priority under 35 U.S.C. §§ 119 and 120

This case does not claim foreign priority.

As to domestic priority, this case claims domestic priority under sections 119 and 120.

F. Basis for amendments (if any) to the claims and basis for new claims (if any)

Basis for new claim 55 is found in the original disclosure mailed on September 24, 1997 on page 29, lines 20-22.

Basis for new claim 56 is original claim 8.

Also, please note that basis for claims 8, 32, 55 and 56 is further found in applicant's discussion in sections H.1. and H.2. below.

G. The Office Action of June 29, 2005

The Office Action of June 29, 2005 was discussed in the Amendment and Remarks of October 31, 2005. However, applicant would like to further address section 10 of the Office Action.

In section 10 of the Office Action, claim 8 was rejected under 35 U.S.C. 102(b) as being anticipated by Vaughn [U.S. 5,485,161]. The Office Action states that for claim 8, the vehicle taught by Vaughn provides the current posted speed limit on a display in the vehicle using GPS data. This rejection is respectfully traversed on the basis of applicant's discussion in section H. below.

H. Applicant's supplemental discussion

Applicant would like to point out that the present case relies under section 120 on the disclosure mailed September 24, 1997. At the Examiner's request in such application, such a disclosure was trimmed. However, the full disclosure of September 24, 1997 is still available to applicant. As to the disclosure mailed September 24, 1997, please see section H.1. below.

Applicant would also like to point out that the present case relies under section 119(e) on U.S. Provisional Application Number 60/026,919. As to this provisional, please see section H.2. below.

H.1. Basis in the disclosure mailed September 24, 1997

Basis for an on-line (non-GPS) speed limit display, the vehicle speed being governed, and meteorological sensors is found as stated below in the disclosure mailed September 24, 1997.

H.1.a. On-Line Speed Limit

Applicant would like to draw the attention of the Examiner to applicant's specification mailed on September 24, 1997, namely, section TT. entitled Enroute Information and Route Guidance where on page 53 it is disclosed that "Enroute information includes in-vehicle display (and/or audible) of the current applicable speed limit." In section TT, it is further indicated that enroute information may be provided by an infrastructure-based system. Please see lines 6-9 on page 53.

In section SS., on page 52 of the application mailed on September 24, 1997 and entitled Navigation and Communication, it is indicated that systems involve infrastructure-to-vehicle communication. Further in Section SS., on page 52, it is indicated that communication technologies may include terrestial (mobile or fixed) voice and data systems.

On page 29, lines 20-22, of the application mailed on September 24, 1997, applicant discloses that "A vehicle without a global navigation system 84 may tap into and communicate with a nearby infrastructure control mechanism 30 for information, such as to determine the position of the vehicle 28 in the traffic complex. [emphasis added]"

Thus, based on the above, it should be clear that the infrastructure can communicate the on line speed limit to the vehicle without a GPS system. Thus, unlike Vaughn where a GPS system is disclosed, applicant's system can be

decentralized.

Further on the basis of the above, on the basis of the October 31, 2005 Amendment and Remarks, and on the basis set out below in the provisional case, it is clear that applicant has provided basis for a dynamic display of the local speed limit. Vaughn does not disclose a dynamic system.

H.1.b. Governing Vehicle Speed

Further in section TT., on page 53, line 4, of the application mailed on September 24, 1997, it is indicated that information may be provided on "reducing speed instructions." Further, please see applicant's section QQ. on page 51 entitled Control-Intervention that discloses that partial or full control of a vehicle will be activated on the basis of sensors. Such is further support for claim 8.

H.1.c. Meteorological Sensors

On page 25 of the application submitted on September 24, 1997, it is disclosed that sensor technologies include a number of radar systems, including pulse and pulse Doppler. Such is a technology that is directly used for sensing weather, weather conditions and storms. Such is further support for dependent claim 32.

H.2. Basis in U.S. Provisional Patent Application Number 60/026,919

Basis for an on-line (non-GPS) speed limit display, the vehicle speed being governed, and meteorological sensors is found as stated below in U.S. Provisional Patent Application Number 60/026,919.

H.2.a. On-Line Speed Limit

Page 1 of the provisional application provides that all vehicles, including non-emergency vehicles, right-of-way vehicles, and trains are equipped with mobile radio transmitters, receivers, processors, and warning devices.

Page 2 of the provisional application provides that technologies include FM communications techniques that use existing infrastructure, spread spectrum two-way radio, microwave and infrared beacon, cellular radio, and transponder-based vehicle-to-roadside systems.

Page 24 of the provisional application provides that en-route information includes in-vehicle display (and/or audible) of the current applicable speed limit.

H.2.b. Governing Vehicle Speed

Page 8 of the provisional application provides that 1) current traction control system sensors detect variation in the rotational speed of a vehicle's wheels, 2) when these variations exceed a threshold, the system is activated to take control of the accelerator and brake pedals from the driver and limit the amount of excessive engine torque applied to the wheels, 3) thus, the system senses slippery road conditions only when the vehicle is already traveling on a slippery surface; it cannot "anticipate" when slippery surfaces will be encountered, and 4) necessary is a forward-looking laser radar sensor to determine pavement conditions ahead of the moving vehicle.

Page 49 of the provisional application provides that response to incidents includes providing information and routing instructions to travelers, reducing speed instructions, rerouting or diverting transit vehicles, and/or altering existing traffic control.

H.2.c. Meteorological Sensors

Page 2 of the provisional application provides that 1) candidate sensor technologies for use in automated traffic control, collision avoidance, safety, and information systems include: microwave radar; millimeter-wave radar; laser radar (also known as lidar or light detection and ranging); ultrasound; video image processing; infrared imaging; infrared illumination; ultraviolet illumination; global positioning systems; etc.. and that 2) radar systems will probably utilize pulse, pulse Doppler, frequency-modulated continuous-wave (FM-CS), binary phase modulation, and/or frequency modulation transmission modes. As indicated above, pulse Doppler is a technology that is directly used for sensing weather, weather conditions and storms.

Page 11 of the provisional application provides to 1) warn of hazardous road conditions (for, ice, . . .) and the safe speed for a specific type of vehicle, 2) warn motorists of hazards (unsafe curves, . . .) and display (advise) the applicable speed limit based on vehicle type and road conditions; and 3) warn motorists of unsafe weather conditions (ice, snow, fog, dust clouds) based upon roadside environmental sensors.

Page 25 of the provisional application provides to 1) warn of hazardous road conditions and the safe speed for specific types of vehicles, and 2) warn motorists of unsafe weather conditions (ice, snow, fog, dust clouds, . . .) as detected by roadside environmental sensors.

Page 30 of the provisional application provides that intelligent transportation systems help identify or forecast hazardous weather, thereby reducing the number of stranded vehicles.

I. Summary

As to claim 8, Vaughn does not disclose or suggest a dynamic display.

As to claim 32, Vaughn does not disclose or suggest means for dynamically changing on-line speed limits as weather, visibility and road conditions warrant.

As to claim 55, Vaughn does not disclose or suggest the reception of on-line information for a dynamic display of the local speed limit without a global positioning system.

As to claim 56, Vaughn does not disclose or suggest a display of the local speed limit and a control to govern to the local speed limit a maximum speed of the vehicle.

Applicant respectfully submits that the present application is in condition for allowance. The Examiner is respectfully invited to make contact with the undersigned by telephone if such would advance prosecution of this case.

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